

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	Case No. 14-16081-MDC
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BARRY PORTNOY	:	Chapter 7
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**ROBERT KRANDEL'S ASSERTION OF THE WORK PRODUCT PRIVILEGE, PER
THE COURT'S JANUARY 25, 2018 ORDER**

Robert Krandel, Esquire hereby asserts the work product privilege with respect to the documents identified below.

I. BACKGROUND

1. At all times relevant hereto, specifically including January 30, 2012, through December 31, 2014, I was personal counsel to Barry Portnoy and corporate counsel to Altchem Environmental Services and Demrex Industrial Services.
2. In that capacity, I represented Mr. Portnoy or his interests in various pieces of litigation.
3. In connection with that representation, I generated numerous documents on behalf of my clients in connection with, or in anticipation of, litigation.

II. ASSERTION OF WORK PRODUCT PRIVILEGE

4. I hereby assert the work product privilege with respect to the following documents, for the reasons indicated below each document number.¹

Document No. 59

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
59	01/07/14	Robert J. Krandel	Michael Carson; Barry Portnoy		Y	Stipulated settlement	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorney, general counsel and client containing legal advice regarding stipulated settlement in Tri-C Construction case and attaching draft stipulated settlement and release prepared by counsel

Document No. 66

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
66	09/16/13	Michael Carson Robert J. Krandel Michael Carson	Robert J. Krandel Michael Carson Robert J. Krandel	Barry Portnoy Barry Portnoy	N	[Untitled]	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorney, general counsel and client containing legal advice and mental impressions/opinions regarding response to Tri-C's post-settlement filing (Application for Interest)

Document No. 68

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
68	09/13/13	Robert J. Krandel	Barry Portnoy; Michael Carson		Y	Untitled	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County	Communication between attorney, general counsel and client attaching draft response to Tri-C's Application for Interest prepared by counsel

¹ Moreover, it is my understanding that, beyond the documents identified on Mr. Portnoy's privilege log, numerous other documents on the computer seized by the Chapter 7 Trustee are protected by the work product privilege. I assert the privilege as to each of these documents.

							Nos. 09-10536 and 09-11004	
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Document No. 71

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
71	08/07/13 08/08/13 08/13/13	Walter H. Flamm, Jr. Barry Portnoy Robert J. Krandel Michael Carson Walter H. Flamm, Jr. Michael Carson	Barry Portnoy; Michael Carson Walter H. Flamm, Jr.; Michael Carson Barry Portnoy Robert J. Krandel; Barry Portnoy Michael Carson, Robert J. Krandel; Barry Portnoy Walter H. Flamm, Jr.; Robert J. Krandel	Robert J. Krandel Robert J. Krandel Walter H. Flamm, Jr.; Michael Carson Walter H. Flamm, Jr. Michael Carson Barry Portnoy	N	Tri-C	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communications between attorneys, general counsel and client containing legal advice and mental impressions/opinions regarding verdict and analysis of same

Document No. 74

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
74	08/07/13	Walter H. Flamm, Jr.	Barry Portnoy; Michael Carson	Robert J. Krandel	Y (attachment not privileged)	Tri-C	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorneys, general counsel and client containing legal advice and mental impressions/opinions regarding verdict and analysis of same

Document No. 94

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
94	02/08/13	Robert J. Krandel	Barry Portnoy; Michael Carson		Y	Costs for Tri-C Memo	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorney, general counsel and client attaching draft affidavit for costs prepared by counsel

Document No. 97

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
97	02/01/13	Robert J. Krandel	Barry Portnoy; Michael Carson		Y	Petition for Fees	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorney, general counsel and client attaching draft petition to enter judgment and damages analysis prepared at the request of counsel

Document No. 98

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
98	01/22/13	Robert J. Krandel	Barry Portnoy; Michael Carson		Y	Altchem/Tri-C damages	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorney, general counsel and client attaching damages analysis prepared at the request of counsel

Document No. 102

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
102	01/11/13	Barry Portnoy	Robert J. Krandel; Michael Carson		Y	CASPA Spread Sheet - Tri C	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorney, general counsel and client seeking legal advice regarding damages and attaching damages analysis prepared at the request of counsel

Document No. 105

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
105	01/07/13 01/08/13 01/10/13 01/11/13	Michael Carson Michael Carson Walter H. Flamm, Jr.	Christian Hauser Christian Hauser Michael Carson	Barry Portnoy Barry Portnoy Robert J. Krandel	N	Settlement Agreement (14 13)	Ford Motor Co. and Devon Industrial Group v Altchem et. al. United States District Court	Communication between attorneys, general counsel and/or client containing legal advice and mental

		Michael Carson	Walter H. Flamm, Jr.	Robert J. Krandel			Eastern District of Michigan, Southern Division No. 2:11-CV-10313	impressions/opinions regarding Ford/Devon/First Sealord settlement
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Document No. 160

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
160	09/18/12	Barry Portnoy	Robert J. Krandel; Walter H. Flamm, Jr.; Michael Carson		Y	Prajzner Rogs	Prajzner v Alchem United States District Court Eastern District of Pennsylvania	Communication between attorneys, general counsel and client attaching draft interrogatory responses prepared by client

Document No. 162

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
162	09/13/12	Robert J. Krandel Michael Carson	Barry Portnoy; Michael Carson Robert J. Krandel; Barry Portnoy		Y	The most boiled down rebuttal possible	Alchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communications between attorney, general counsel and client containing legal advice and mental impressions/opinions regarding Portnoy rebuttal and attaching rebuttal outlines prepared by counsel

Document No. 165

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
165	09/13/12	Robert J. Krandel	Barry Portnoy; Michael Carson		Y	The most boiled down rebuttal possible	Alchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communications between attorney, general counsel and client containing legal advice and mental impressions/opinions regarding Portnoy rebuttal and attaching rebuttal outlines prepared by counsel

Document No. 166

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
166	08/26/12	Robert J. Krandel	Barry Portnoy; Michael Carson	Walter H. Flamm, Jr.	Y	Altchem pretrial memo	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorneys, general counsel and client attaching draft of amended pretrial memorandum prepared by counsel

Document No. 169

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
169	08/31/12	Robert J. Krandel	Michael Carson; Barry Portnoy		Y (attachment not privileged)	Tri-C/Altchem - Call with Judge Rowley re: Trial Logistics	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorney, general counsel and client containing legal advice and mental impressions/opinions regarding Tri-C's opposition to Altchem's motion in limine

Document No. 170

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
170	08/27/12	Robert J. Krandel	Michael Carson	Barry Portnoy	N	Altchem pretrial memo	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorney, general counsel and client containing legal advice and mental impressions/opinions regarding trial

Document No. 175

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
175	08/22/12	Barry Portnoy Robert J. Krandel	Robert J. Krandel Michael Carson; Barry Portnoy	Michael Carson	N	List of potential witnesses	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP	Communication between attorney, general counsel and client containing legal advice and list of potential witnesses

							Berks County Nos. 09-10536 and 09-11004	
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Document No. 176

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH -MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
176	08/24/12	Robert J. Krandel Barry Portnoy	Barry Portnoy Robert J. Krandel; Michael Carson		N	Tri-C/Altchem - Call with Judge Rowley re: Trial Logistics	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorney, general counsel and/or client containing legal advice and mental impressions/opinions regarding Tri-C's trial procedure

Document No. 177

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH -MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
177	08/23/12 08/24/12	Robert J. Krandel Michael Carson	Michael Carson; Barry Portnoy Robert J. Krandel; Michael Carson; Barry Portnoy		Y	Tri-C updates	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communications between attorney, general counsel and client containing legal advice regarding trial attaching drafts of motion in limine prepared by counsel

Document No. 180

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH -MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
180	08/23/12	Robert J. Krandel	Michael Carson; Barry Portnoy		Y	Tri-C updates	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communications between attorney, general counsel and client containing legal advice regarding trial attaching draft of motion in limine prepared by counsel

Document No. 181

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
181	08/10/12	Walter H. Flamm, Jr. Robert J. Krandel	Robert J. Krandel; Barry Portnoy; Michael Carson Michael Carson; Barry Portnoy	Walter H. Flamm, Jr.	N	Altchem/Tri-C	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorneys, general counsel and client containing legal advice and mental impressions/opinions regarding mediation

Document No. 183

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
183	08/08/12	Walter H. Flamm, Jr.	Robert J. Krandel; Michael Carson; Barry Portnoy		Y (attachment is not privileged)	Prajzner v. Altchem Environ. Services, Inc. - Plaintiff's demand letter	Prajzner v Altchem United States District Court Eastern District of Pennsylvania	Communication between attorneys, general counsel and client regarding legal advice and mental impressions/opinions regarding settlement demand

Document No. 184

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
184	08/14/12	Robert J. Krandel	Michael Carson; Barry Portnoy		Y (attachment is not privileged)	Prajzner v. Altchem Environ. Services, Inc. - Plaintiff's Discovery Requests to Defendant/Initial Disclosures	Prajzner v Altchem United States District Court Eastern District of Pennsylvania	Communication between attorney, general counsel and client containing legal advice and mental impressions/opinions regarding discovery responses

Document No. 186

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
186	08/16/12	Barry Portnoy	Robert J. Krandel; Walter H. Flamm, Jr.; Michael Carson		Y	Tri C Direct	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorneys, general counsel and client attaching draft direct examination outline prepared by counsel and client

Document No. 187

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
187	08/17/12	Barry Portnoy	Robert J. Krandel; Michael Carson		N	TriC/Altchem	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorney, general counsel and client seeking legal advice and containing mental impressions/opinions regarding settlement

Document No. 189

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
189	08/17/12	Barry Portnoy	Robert J. Krandel; Walter H. Flamm, Jr.; Michael Carson		Y	Tri C Direct Formatted	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorneys, general counsel and client attaching draft direct examination outline prepared by counsel and client

Document No. 196

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
196	07/11/12	Robert J. Krandel Michael Carson	Michael Carson Robert J. Krandel	Barry Portnoy Barry Portnoy		Tri-C/Altchem Mediation	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communications between attorney, general counsel and client containing legal advice and mental impressions/opinions regarding mediators

Document No. 198

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
198	07/25/12	Walter H. Flamm, Jr.	Michael Carson	Robert J. Krandel	N	John Prajzner	Prajzner v Altchem United States District Court Eastern District of Pennsylvania	Communication between attorneys and general counsel containing legal advice and mental impressions/opinions regarding status of

								litigation and mediation
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Document No. 205

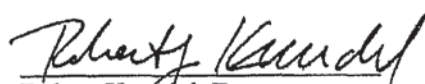
NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
205	06/25/12	Robert J. Krandel	Michael Carson; Barry Portnoy		Y	Barry's direct	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communication between attorney, general counsel and client attaching direct examination outline prepared by counsel

Document No. 212

NO.	E-MAIL DATE	AUTHOR	RECIPIENT	CC	ATTACH-MENTS	E-MAIL SUBJECT TITLE	REFERENCED LITIGATION (CASE CAPTION)	DESCRIPTION
212	06/25/12	Barry Portnoy Robert J. Krandel	Robert J. Krandel; Michael Carson Barry Portnoy		N	Barry's direct	Altchem Environmental v. TRI-C Construction Company Pennsylvania CCP Berks County Nos. 09-10536 and 09-11004	Communications between attorney, general counsel and/or client containing legal advice and mental impressions/opinions regarding Portnoy's testimony

WHEREFORE, for the foregoing reasons, I respectfully request that the Court allow my claim of work product privilege with respect to the documents identified herein and decline to order their production.

Respectfully submitted,


Robert Krandel, Esq.